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Attorneys for Plaintiff
MITSUI O.S.K. LINES, LTD.

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MITSUI O.S.K. LINES, LTD.

Plaintiff,

vs.

DELTRANS INTERNATIONAL SHIPPING
CORP. and DOES 1 through 20,

Defendants.

) Case No.: CV 10 5588 RS

) **STIPULATED CONDITIONAL**
) **DISMISSAL WITH PREJUDICE;**
) ~~**PROPOSED ORDER THEREON**~~

STIPULATED CONDITIONAL DISMISSAL WITH PREJUDICE

Plaintiff MITSUI O.S.K. LINES, LTD and defendant DELTRANS INTERNATIONAL SHIPPING CORP. hereby stipulate through their designated counsel that the above-captioned action should be and hereby is dismissed with prejudice pursuant to FRCP 41(a)(1). Such dismissal is subject to the settlement agreement between the parties and is effective and

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1 conditioned upon all conditions of settlement being satisfied, and further that this action may be
2 reinstated if they are not, and that this Court retains personal and subject matter jurisdiction to
3 vacate the dismissal and to preside over a reinstated action, if applicable, and as otherwise
4 necessary to enforce the terms of settlement and consistent herewith.

5
6 DATED: December 29, 2011

FLYNN, DELICH & WISE LLP

7 /s/

8 By: _____

Erich P. Wise

9 Conte C. Cicala

Attorneys for Plaintiff

10 MITSUI O.S.K. LINES, LTD.

11 DATED: December 29, 2011

LEWIS, BRISBOIS, BISGAARD
& SMITH LLP

13 /s/

14 By: _____

Ivan Tjoe

Attorneys for Defendant

15 DELTRANS INTERNATIONAL SHIPPING
16 CORP.

17
18 **[PROPOSED] ORDER**

19 Pursuant to stipulation and good cause having been shown, IT IS SO ORDERED.

20
21
22 DATED: 12/29/11 _____

23
24 
25 UNITED STATES DISTRICT JUDGE